

Congress of the United States
Washington, DC 20515

August 1, 2017

Mr. Glenn A. Fine
Acting Inspector General
U.S. Department of Defense
4800 Mark Center Drive
Alexandria, VA 22350-1500

Dear Mr. Fine:

On July 3, 2017, the Associated Press reported¹ that the Department of Defense has started withholding from the public summary results of routine safety and security inspections at its nuclear facilities. The summary results are unclassified and had previously been made public.

The change to disclosure policy was reportedly made through a Chairman of the Joint Chiefs of Staff Instruction that the Department has also refused to release, even though the Instruction is itself unclassified. A spokesperson for the Joint Chiefs of Staff stated the reason for the change is to prevent adversaries from learning too much about U.S. nuclear weapons vulnerabilities.

This decision is puzzling and concerning for a number of reasons:

- No sensitive material is involved. The summary-level results exclude detailed information on capabilities, operations, facilities, and the inspections themselves. The Pentagon has never asserted that reporting on nuclear inspection results has compromised nuclear security.
- We are not aware of any threat assessment that would warrant such a change to disclosure policy.
- The summary-level inspection results are an important tool for oversight of the nuclear enterprise. The Associated Press relied in part on these inspection results to publish a series of stories in 2013-2014 that drew DoD leadership, public and Congressional attention to severe shortcomings in nuclear force management, morale, security, and safety. This reporting led directly to intervention by Secretary Hagel, who approved substantial reforms and disciplinary measures for responsible personnel.^{2,3}

¹ "AP Exclusive: US nuclear inspection results now concealed." Robert Burns, Associated Press, July 3, 2017. (<https://apnews.com/ee4348a86bbe40bebac3f01c222ce6c2>)

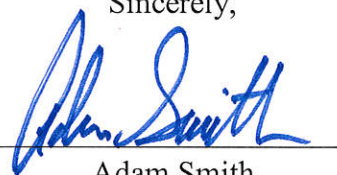
² "Hagel Announces Changes to U.S. Nuclear Deterrent Enterprise." Jim Garamone, DoD News/Defense Media Activity, November 14, 2014. (<https://www.defense.gov/News/Article/Article/603647/hagel-announces-changes-to-us-nuclear-deterrent-enterprise/>)

- This decision is inconsistent with the recommendation made by the “Independent Review of the Department of Defense Nuclear Enterprise,” presented to Secretary of Defense Hagel on June 2, 2014, that the Department must “bluntly and openly acknowledge the problems that have continued to develop since additional focus was placed on the nuclear enterprise in 2007-2008.”
- Withholding of the inspection findings degrades the credibility of a safe and reliable nuclear deterrent to both our allies and adversaries. The decision to withhold the inspection findings is already being exploited by those adversaries for propaganda purposes⁴.
- The United States has long held up its transparency in our nuclear enterprise as an example for other states with nuclear weapons, in order to encourage more responsible nuclear safety and security practices. For example, during the 2016 Nuclear Security Summit, the United States – with full support from the Department – published a two-page fact sheet on “United States Military Nuclear Material Security.”⁵

We therefore request your review of the decision by the Department of Defense to withhold from the public summary results of routine safety and security inspections at nuclear facilities, specifically: to determine whether the decision is justified, based on specific evidence that withholding the results of routine inspections at nuclear bases is suddenly necessary to protect national security; and, to evaluate whether benefits gained by withholding such information outweigh the benefits of public disclosure. We request that you deliver the results of your assessment in unclassified form, with a classified annex if required. We appreciate your assistance with this issue and look forward to reviewing your assessment as soon as reasonably possible.

Sincerely,


 Jackie Speier
 Ranking Member
 House Armed Services
 Subcommittee on
 Military Personnel


 Adam Smith
 Ranking Member
 House Armed Services
 Committee


 Jim Cooper
 Ranking Member
 House Armed Services
 Subcommittee on
 Strategic Forces

³ “Pentagon Studies Reveal Major Nuclear Problems.” David E. Sanger and William J. Broad, The New York Times, November 13, 2014 (<https://www.nytimes.com/2014/11/14/us/politics/pentagon-studies-reveal-major-nuclear-problems.html>).

⁴ “Nuking transparency: Pentagon hides nuclear weapons inspections reports.” RT, July 9, 2017 (<http://abcnewsgo.net/video/yF4mZodNiVW4>).

⁵ <http://www.nss2016.org/document-center-docs/2016/3/31/fact-sheet-united-states-military-nuclear-material-security>